REMARKS

Claim Objections

Claims 7-10, 13-16, 20-23, 26-27, 30-31, and 34-35 were objected to because of informalities. These claims have been amended in a manner the Applicant considers to moot the claim objections.

Claim Rejections – 35 USC § 112

Claims 4, 12-17, 19-23, and 28-35 were rejected under 35 U.S.C. 112, first paragraph, as allegedly being single means claims. These claims have been amended to include an additional processor means, which Applicant considers to moot the claim rejections.

Claim Rejections – 35 USC § 102

Claims 1, 4, 6, 12, 17, 19, and 24-35 were rejected under 35 U.S.C. 102(e) as being allegedly anticipated by Dutta (US 6,407,986 B1).

The Action states on page 12, in the "Response to Arguments" section, that the "Examiner suggests that, in all independent claims, deleting 'at least one'."

The Applicant doesn't think it appropriate to delete the "at least one" limitation in the independent claims because the "frame type" field only indicates one type of frame, either "the forward link schedule, the reverse link schedule, the supplemental channel set, or the erasure-indicator-bit (EIB)", not all of them (see page 13, lines 29-31, and, more generally, page 13 line 19 to page 15, line 19, including Tables 1-4). However, each of these frame types will be transmitted in the system at one time or another. The Action does not describe Dutta as - and Applicant has seen no reference in Dutta of – transmitting messages indicating frame types including channel active set or erasure-indicator-bit frame types.

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The rejected independent claims have been amended to recite that the message includes an indication of a frame type "selected from a plurality of frame types including link schedule, channel active set, and erasure-indicator bit", where each of these frame types is transmitted as some time or another. Applicants submit this distinguishes the claims from Dutta in that the system described in Dutta does not describe a message that indicates a frame type selected from a plurality of frame types including link schedule, channel active set, and erasure-indicator bit, where each of these frame types is transmitted at some time or another.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any additional fees or credit any overpayments that may be due with this response to Deposit Account No. 170026.

Respectfully submitted,

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